

REMARKS

Claims 1-30 are currently pending in the patent application. The Examiner has rejected all of the claims under 35 USC 103 as unpatentable over the teachings of the Donath article. For the reasons set forth below, Applicants respectfully assert that all of the pending claims are patentable over the cited prior art.

The present application teaches and claims a method, system and article of manufacture for automatically providing, monitoring and updating an Agenda-Driven Meeting (ADM) to allow a distributed set of users to have an online, not necessarily synchronous, meeting. The meeting is generated automatically with an agenda which specifies the meeting's phases, as well as the interrelationship between the phases, including the order of execution. The system provides a graphical representation, which shows the status of each phase - including indicators of user participation - as well as the relationship between the phases. Input can include text comments; queries, potentially directed to one or more users; responses to these queries; task assignments, also potentially directed to one or more users; summaries of

phases; and indicators of users interest in a given query or response. The ADM graphic representation reflects each of the elements including the particular phase to which a given element is related. The system further monitors the progress of the phases of the meeting and terminates the meeting instance when all phases have been completed. The system allows a given user to replay a given ADM instance, even after the meeting has been completed. A service is also provided enabling a service organization to facilitate the use of Agenda-Driven Meetings by a customer organization.

Applicants respectfully assert that the Donath article neither teaches nor suggests the invention as claimed. Donath is directed to providing a display of a conversation including visualizing patterns of bursts of activity, the arrival of new members or the evaluation of conversational topics (see :Abstract). Donath tries to convey the pace of a conversation for any reader who is reviewing or arriving late to the conversation. The two embodiments of the Donath approach are Chat Circles and Loom both of which track synchronous conversation (i.e., conversational input of participants during overlapping time periods). Each of the embodiments attempts to track the conversation input of respective participants and display the inputs with

different color tracings (circles of Fig. 3 or tracings of Fig. 7).

The Donath visualizations of conversations is a tracking scheme which tracks an on-going conversation that is not subject to an agenda. In contrast, the present invention generates a collaborative environment for a meeting that is agenda-driven, providing a pre-set agenda with trackable phases. Participation by users of the present invention need not be synchronous (Claim 30) but the phase monitoring is nonetheless automatically performed.

With specific reference to the claim language of the independent Claim 1 (and parallel 12 and 16), the Donath reference neither teaches nor suggests creating an instance of an on-line meeting. Rather, Donath tracks an on-line conversation. Further, the present invention creates the meeting instance with an agenda of meeting phases. Donath simply follows the conversation until its conclusion or until the system stops following the conversation. The present invention receives user input to the meeting and depicts the input using a set of content objects in a graphical representation. In contrast, Donath uses non-content-based graphics to depict an amount of input and,

optionally, a mood indication as a function of input frequency and speed. Donath does not teach or suggest depicting user content input, let alone the particular user inputs of query, response, text comment, task specification (Claims 4 and 19). Rather Donath depicts a level of user activity. Finally, Donath does not teach or suggest actively forwarding the generated representation to a user. Rather, Donath passively posts its conversation tracking for viewing by a user.

Applicants further assert that there is nothing in Donath that teaches or suggests automatic monitoring to determine if meeting phases have been completed and taking actions responding to the monitoring results (Claims 2-3 and 17-18). Donath does not teach or suggest active phases and role restrictions for input to the on-line meeting (Claims 5-11 and 20-26). Finally, Donath does not teach or suggest providing an on-line agenda-driven meeting service as set forth in Claims 27-29.

For a determination of obviousness, the prior art must teach or suggest all of the claim limitations. "All words in a claim must be considered in judging the patentability of that claim against the prior art" (In re Wilson, 424 F.

2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). If the cited references fail to teach each and every one of the claim limitations, a *prima facie* case of obviousness has not been established by the Examiner. Since Donath does not teach or suggest the claim features, an obviousness rejection cannot be maintained.

The Examiner has stated that "Donath et al do not explicitly teach each and every element of the claimed invention". Accordingly, by the Examiner's own admission, no *prima facie* obviousness has been established.

Further the Examiner states that "Donath teach (*sic*) a graphical interface for synchronous conversation and Loom, a visualization of threaded discussion, which explores key issues in the generation, design and use of graphical interfaces for persistent conversations." Applicants respectfully assert that "exploring key issues" is neither teaching nor suggestion the claim features. The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination "must be based on objective evidence of record" and that "this precedent has been reinforced in myriad decisions, and cannot be dispensed with." (In re Lee, 277 F. 3d 1338, 1343 (Fed. Cir. 2002)). Moreover, the Federal Circuit has stated

that "conclusory statements" by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved "on subjective belief and unknown authority" (Id. at 1343-1344). Applicants respectfully contend that the Examiner is making conclusory statements which are not based on the Donath article. As such, Applicants believe that the obviousness rejection must be withdrawn.

Based on the foregoing amendments and remarks, Applicants request entry of the amendments, withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,

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